

REMARKS

This is in response to the Office Action mailed October 4, 2004. As set forth in the following remarks, all of claims 1-20 of the application are believed patentable over the rejections and allowance of the application is requested.

The Office Action mailed October 4, 2004 appears incomplete, in that the application has 20 pending claims and only 9 of the claims were acted upon. Therefore, applicants' are entitled to a first action on claims 10-20. As discussed below, claims 1-9, as amended, are believed patentable and allowable over the rejections applied in the Office Action, and claims 10-20 are also believed patentable and allowable.

The invention herein is directed toward a cosmetics brush having multi-fiber bristles, which are bristles made up of a plurality of individual fibers. Thus, each bristle may be formed of different kinds of fibers, e.g. fibers of different materials, different stiffnesses, different diameters, different configurations, or of other differing characteristics. This permits the multi-fiber bristles to be fabricated with particular properties, where the properties are achieved by selecting the individual fibers comprising the bristles.

Claims 1-9 are rejected under 35 U.S.C. 102(b) as being anticipated by *Gueret* U.S. Patent 5,020,551. *Gueret* '551 discloses cosmetics brushes having unitary bristles with integral shredded ends. The Office Action refers to the *Gueret* '551 bristles as being "multi-fiber" bristles, but this is not correct because each bristle in *Gueret* '551 is a unitary, integral fiber. The shredded ends are not additional fibers, but are unitary integral portions of the bristles from which the shredded ends extend. In applicants' specification and claims the "individual fibers" are discrete, separate fibers that may be, *inter alia*, made from different materials. Applicants'

multi-fiber bristles may be engineered to have desired characteristics through the selection of individual fibers and the way they are interengaged. *Gueret* '551 does not disclose this, nor does *Gueret* '551 teach or suggest the use of a plurality of discrete, individual fibers to fabricate a bristle.

Claim 1 clearly defines this distinction over *Gueret* '551 in calling for "multi-fiber bristles comprising a plurality of individual fibers extending from the core in supportive interengagement." *Gueret* '551 does not disclose multi-fiber bristles made of a plurality of individual fibers. To the extent that the ends are additional bristles (which they are not because they are not integral), the shredded ends do not extend from the core in supportive interengagement. Instead, the shredded ends are at the ends of the bristles and, as shown in FIGS. 9, 11 and 13 of *Gueret* '551, they do not touch each other and are not in supportive interengagement. Thus, claim 1 is clearly patentable over *Gueret* '551.

Claims 2-10 dependent from claim 1 are also patentable over *Gueret* '551, for the reasons set forth above and for additional reasons. With respect to claims 2-5, they all call for multi-fiber bristles made up of a plurality of individual fibers extending from the core, and additionally call for the individual fibers being different kinds of fibers, fibers of different diameters, and some fibers that are stiffer than others. *Gueret* '551 does not show such bristles. With respect to claims 6-8, in claim 6 there is a central support fiber and a plurality of additional individual fibers that are braided or woven about the central support fiber. Claims 7-10 provide additional parameters of the central support fiber and additional individual fibers. *Gueret* '551 not only does not show bristles made of a plurality of individual fibers, it does not show any individual

fibers braided or woven about another fiber of the bristle. Therefore, claims 2-9 and claim 10 are also patentable over *Gueret* '551.

With respect to claims 11-18, although they have not yet been acted upon, it is noted that they are all dependent from claim 1 and distinguish over *Gueret* '551 for the reasons set forth above. Additionally, in claims 11-14, at least some of the multi fiber bristles comprise a hollow support fiber and a plurality of smaller diameter additional individual fibers constrained and supported within the hollow support fiber. In claim 15, the at least some multi-fiber bristles comprise a spiral support fiber and plurality of smaller diameter additional individual fibers surrounded by and supported by the spiral support fiber. In claims 16-19, the at least some multi-fiber bristles comprise a plurality of individual bristles braided together. In claim 20, at least one of the individual fibers of a multi-fiber bristle is a relatively stiff support fiber and the others of the individual fibers are less stiff and supported in interengagement with the support fiber. *Gueret* '551 shows no such bristles made of individual fibers, nor does it teach or suggest them.

Accordingly, all twenty claims of this patent are believed patentable over the cited art, and allowance of the claims and this application are earnestly solicited.

Respectfully submitted,

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James R. Frederick (Reg. No. 25865)  
WARE, FRESSOLA, VAN DER SLUYS  
& ADOLPHSON LLP  
Bradford Green, Building Five  
755 Main Street, P.O. Box 224  
Monroe, CT 06468  
Telephone No. (203) 261-1234